## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

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IN RE 2014 RADIOSHACK ERISA LITIGATION THIS DOCUMENT RELATES TO:

ALL ACTIONS

Civil Action No. 4:14-cv-959-O

## **ORDER**

Before the Court is Plaintiffs' Expedited Motion to Stay All Proceedings Pending Filing of Second Amended Complaint and Motion to Dismiss Briefing Related Thereto (ECF No. 158), filed February 4, 2016. The Court ordered expedited briefing on the motion to resolve it in a timely fashion. *See* ECF No. 159. Defendants' filed a response (ECF No. 160), filed February 8, 2016, and Plaintiffs filed a Reply (ECF No. 161), on the same day. Having considered the motion, the briefing, and the applicable law, the Court finds that the motion should be and is hereby **GRANTED**.

Plaintiffs request this Court impose a stay of all proceedings until Defendants' anticipated Motion to Dismiss Plaintiffs' Second Amended Complaint is decided. *See* ECF Nos. 158, 161. Defendants oppose the stay citing Plaintiffs' inability to sufficiently overcome the Court's January 25, 2016 holding and Supreme Court authority. *See* Defs.' Resp. Pls.' Mot. Stay 2, ECF No. 160. The Court finds that a stay is appropriate in this matter.

Accordingly, it is **ORDERED** that this action is temporarily **STAYED** until Plaintiffs file a Second Amended Complaint and the Court decides Defendants' anticipated Motion to Dismiss.

## The following deadlines are as provided:

Second Amended Complaint	February 15, 2016
Defendants' Motion to Dismiss Deadline per Rule Fed. R. Civ. P. 12(a)	March 7, 2016
Plaintiffs' Response Deadline per L.R. 7.1(e)	March 28, 2016
Defendants' Reply Deadline per L.R. 7.1(f)	April 11, 2016

SO ORDERED on this 9th day of February, 2016.

Reed O'Connor

UNITED STATES DISTRICT JUDGE